

AMENDED IN SENATE MAY 8, 2012
AMENDED IN SENATE APRIL 16, 2012

SENATE BILL

No. 1001

**Introduced by Senator Yee
(Coauthor: Senator Blakeslee)**

February 6, 2012

An act to amend Section 86102 of, and to add Sections 84101.5 and 84613 to, the Government Code, relating to the Political Reform Act of 1974.

LEGISLATIVE COUNSEL'S DIGEST

SB 1001, as amended, Yee. Political Reform Act of 1974: lobbyists and committees: fees.

(1) Existing provisions of the Political Reform Act of 1974 require a committee, as defined, to file a statement of organization with the Secretary of State and, as applicable, to file semiannual campaign statements.

This bill would require the Secretary of State to charge each committee that is required to file a statement of organization, and would require each committee to pay, *except as specified and subject to specified deadlines*, a fee not to exceed \$50 per year until the committee is terminated, ~~as specified~~. The bill would require the Fair Political Practices Commission to adjust this fee limit on December 1 of each even-numbered year to reflect any increase in the Consumer Price Index and to round the adjustment to the nearest \$5.

(2) Existing provisions of the Political Reform Act of 1974 regulate the activities of lobbyists, lobbying firms, and lobbyist employers, as defined, in connection with attempts to influence legislative and administrative action by legislative and other state officials. The act

requires that lobbying firms and lobbyist employers register with the Secretary of State, and authorizes the Secretary of State to charge each lobbying firm and lobbyist employer a fee of up to \$25 per year for each lobbyist required to be listed on its registration statement.

This bill would increase the maximum amount of this fee to \$50 per year. The bill would require the Fair Political Practices Commission to adjust this fee limit on December 1 of each even-numbered year to reflect any increase in the Consumer Price Index and to round the adjustment to the nearest \$5.

(3) This bill would establish the Political Disclosure, Access, and Transparency Account in the State Treasury and require that moneys collected as fees as described above ~~and as fees for late filing of reports and statements under the act, as specified,~~ be deposited in the account. *The bill would require that fees collected for lobbyist registration prior to January 1, 2013, be deposited in the General Fund. The bill ~~also~~ would ~~express the intent of the Legislature~~ require that moneys deposited in the account be expended for the maintenance, repair, and improvement of the online or electronic disclosure program implemented by the Secretary of State, ~~as specified.~~ except that the bill would also allow the Secretary of State to use these moneys for purposes of implementing the bill. The bill would prohibit the use of these moneys to improve or replace the online or electronic disclosure program until the Secretary of State has completed and submitted to the Joint Legislative Budget Committee and the Department of Finance a feasibility study report regarding a new online or electronic disclosure program.*

(4) The Political Reform Act of 1974, an initiative measure, provides that the Legislature may amend the act to further the act's purposes upon a $\frac{2}{3}$ vote of each house and compliance with specified procedural requirements.

This bill would declare that it furthers the purposes of the act.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 84101.5 is added to the Government
- 2 Code, to read:
- 3 84101.5. (a) Notwithstanding Section 81006, the Secretary of
- 4 State shall charge each committee that is required to file a statement

1 of organization pursuant to subdivision (a) of Section 84101, and
2 each committee that is required to file a statement of organization
3 pursuant to subdivision (a) of Section 84101 shall pay, a fee of not
4 more than fifty dollars (\$50) per year until the committee is
5 terminated pursuant to Section 84214.

6 *(b) A committee shall pay the fee prescribed in subdivision (a)*
7 *no later than 15 days after filing its statement of organization.*

8 *(c) (1) A committee annually shall pay the fee prescribed in*
9 *subdivision (a) no later than January 15 of each year.*

10 *(2) A committee that is created and pays the initial fee pursuant*
11 *to subdivision (b) in the final three months of a calendar year is*
12 *not subject to the annual fee pursuant to paragraph (1) for the*
13 *following calendar year.*

14 *(3) A committee that existed prior to January 1, 2013, shall pay*
15 *the fee prescribed in subdivision (a) no later than February 15,*
16 *2013, and in accordance with paragraph (1) in each year*
17 *thereafter. A committee that terminates pursuant to Section 84214*
18 *prior to January 31, 2013, is not required to pay a fee pursuant*
19 *to this paragraph.*

20 ~~*(b)*~~

21 *(d) (1) A committee that fails to timely pay a fee required by*
22 *this section is subject to a penalty equal to three times the amount*
23 *of the fee.*

24 *(2) The Commission shall enforce the requirements of this*
25 *section.*

26 *(e) The Commission shall adjust the fee limit in subdivision (a)*
27 *on December 1 of each even-numbered year to reflect any increase*
28 *in the Consumer Price Index. The Commission shall round each*
29 *adjustment pursuant to this subdivision to the nearest five dollars*
30 *(\$5).*

31 SEC. 2. Section 84613 is added to the Government Code, to
32 read:

33 84613. (a) (1) The Political Disclosure, Access, and
34 Transparency Account is hereby established in the State Treasury.
35 ~~All moneys~~ Moneys collected pursuant to Sections 84101.5; and
36 86102, ~~and 91013~~ shall be deposited in the Political Disclosure,
37 Access, and Transparency Account.

38 *(2) Fees collected pursuant to Section 86102 prior to January*
39 *1, 2013, shall be deposited in the General Fund.*

1 (b) ~~It is the intent of the Legislature that moneys~~ *Moneys*
2 deposited in the Political Disclosure, Access, and Transparency
3 Account ~~are subject to appropriation by the Legislature and shall~~
4 be expended for the maintenance, repair, and improvement of the
5 online or electronic disclosure program implemented by the
6 Secretary of State pursuant to this chapter. *In addition, the*
7 *Secretary of State may use moneys deposited in the Political*
8 *Disclosure, Access, and Transparency Account for purposes of*
9 *implementing the act that added this section.*

10 (c) *Moneys deposited in the Political Disclosure, Access, and*
11 *Transparency Account shall not be used to improve or replace the*
12 *online or electronic disclosure program until the Secretary of State*
13 *has completed and submitted to the Joint Legislative Budget*
14 *Committee and the Department of Finance a feasibility study report*
15 *regarding a new online or electronic disclosure program.*

16 SEC. 3. Section 86102 of the Government Code is amended
17 to read:

18 86102. (a) Each lobbying firm and lobbyist employer required
19 to file a registration statement under this chapter may be charged
20 not more than fifty dollars (\$50) per year for each lobbyist required
21 to be listed on its registration statement.

22 (b) The Commission shall adjust the registration fee limit in
23 subdivision (a) on December 1 of each even-numbered year to
24 reflect any increase in the Consumer Price Index. The Commission
25 shall round each adjustment pursuant to this subdivision to the
26 nearest five dollars (\$5).

27 SEC. 4. The Legislature finds and declares that this bill furthers
28 the purposes of the Political Reform Act of 1974 within the
29 meaning of subdivision (a) of Section 81012 of the Government
30 Code.